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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR02-086-MJP
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 ALAN BRADLEY,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13 _____)

14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on October 23, 2009. The United States was represented by AUSA Mary Dimke and the
16 defendant by Barry Flegenheimer. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 3, 2002 by the Honorable Marsha J.
18 Pechman on a charge of Bank Robbery, and sentenced to 84 months custody, 3 years supervised
19 release. (Dkt. 23.)

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant cooperate in the collection of DNA, be prohibited from possessing
22 a firearm, submit to drug testing, participate in a substance abuse program, abstain from alcohol,

01 submit to search, pay restitution in the amount of \$1,646.00, and register as a sex offender. The
02 conditions of supervised release were modified on June 16, 2009 to require residence in a
03 residential reentry center for up to 120 days. (Dkt. 25.)

04 Defendant was sentenced to time served on September 18, 2009 for violating the
05 conditions of supervised release by consuming alcohol in public and failing to notify his
06 probation officer of contact with law enforcement. (Dkt. 34.) He was ordered to enter a
07 residential reentry center.

08 In an application dated October 16, 2009 (Dkt. 35, 36), U.S. Probation Officer Mark J.
09 Chance alleged the following violations of the conditions of supervised release:

10 1. Consuming alcohol on or about October 15, 2009, in violation of a special
11 condition of supervised release.

12 2. Failing to successfully participate in a residential reentry center program by
13 consuming alcohol in violation of a special condition of supervised release.

14 Defendant was advised in full as to those charges and as to his constitutional rights.

15 Defendant admitted the alleged violations and waived any evidentiary hearing as to
16 whether they occurred. (Dkt. 39.)

17 I therefore recommend the Court find defendant violated his supervised release as
18 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next
19 hearing will be set before Judge Pechman.

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 23rd day of October, 2009.

03 

04 Mary Alice Theiler
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Marsha J. Pechman
08 AUSA: Mary Dimke
09 Defendant's attorney: Barry Flegenhimer
10 Probation officer: Mark J. Chance, J. Van Flander
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